

Energy, P.O. Box 1619, Tulsa, Oklahoma 74101, (918) 595-6696.

SUPPLEMENTARY INFORMATION: Following Department of Energy (DOE) guidance in its response to the Federal Energy Regulatory Commission's April 24, 1996, Order No. 888 (Promoting Wholesale Competition Through Open Access Non-Discriminatory Transmission Services by Public Utilities), Southwestern Power Administration (Southwestern) is reviewing its rate design structure to ensure compliance with the intent of Order 888 for open access wholesale electric transmission rates. A Public Forum was convened Tuesday, October 29, 1996, in Southwestern's offices in Tulsa, Oklahoma. The Forum was held to explain the goals of the rate design review process and identify areas of specific concern. At the Forum and through a formal comment period, Southwestern sought comments and opinions regarding potential approaches to the rate design of ancillary services and the unbundling of the generation and transmission rates.

A transcript of the Public Forum was made. For a fee, copies of the transcript may be obtained from the transcribing service.

An interested parties list was also developed for those parties that were unable to attend the Public Forum, but wanted to receive any mailings regarding this issue in the future.

It was anticipated that a Technical Conference would need to be convened before the end of February 1997 to review specific comments and encourage discussions to help ensure a better understanding of the technicalities of the issues being reviewed (e.g. Development of Ancillary Services). In October 15, 1996, Federal Register Notice (61 FR 53732), Southwestern provided notification of its plan to convene a conference to review, in detail, the technical comments received to help determine how the technicalities could best be incorporated into the rates for transmission services. The Comments received were not technical in nature and virtually all are consistent with Southwestern's anticipated approach to unbundling transmission and generation rates. Therefore, with only minimal benefits expected to be gained from holding a technical conference, Southwestern will *not* conduct such a conference.

Southwestern proposes to pursue the unbundling of its transmission services in conjunction with its normal repayment process. As part of this process, a formal comment period will

be provided to allow interested parties to provide comments and suggestions regarding the rates being developed.

We look forward to your continued interest and participation in the ongoing process of rate development.

Issued in Tulsa, Oklahoma, this 27th day of January, 1997.

Michael A. Deihl,

Administrator.

[FR Doc. 97-2826 Filed 2-4-97; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5685-4]

Proposed Settlement, Acid Rain Opt-in-Rule Litigation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement; Request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act ("Act"), notice is hereby given of a proposed settlement of *Alcoa Generating Corporation v. United States Environmental Protection Agency*, No. 95-1292 (D.C. Cir.).

This case involves a challenge to the final rule, entitled "Opting into the Acid Rain Program," which, *inter alia*, established provisions that allow certain sulfur dioxide emitting combustion sources that are not otherwise subject to the Acid Rain Program to voluntarily become subject to, or "opt into," the Acid Rain Program and receive marketable emission allowances.

For a period of thirty (30) days following the date of publication of this notice, the environmental Protection Agency will receive written comments relating to the settlement from persons who were not named as parties to the litigation in question. The Agency or the Department of Justice may withhold or withdraw consent to the proposed settlement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Copies of the settlement are available from Jacqueline Jordan, Cross-Cutting Issues Division (2322), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-7622. Written comments should be sent to Jonathan Averback, Air and Radiation division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W.,

Washington, D.C. 20460 and must be submitted on or before March 7, 1997.

Dated: January 27, 1997.

Scott C. Fulton,

Acting General Counsel.

[FR Doc. 97-2842 Filed 2-4-97; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5683-2]

Clean Water Act Section 303(d) Total Maximum Daily Load (TMDL) Program; Draft TMDL Program Implementation Strategy

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: EPA's Assistant Administrator for Water hereby makes available for public comment a Draft TMDL Program Implementation Strategy. The TMDL program addresses waters that do not meet State water quality standards even after pollution sources have implemented required pollution controls. CWA section 303(d) requires States to identify these waters and develop TMDLs for them, with oversight from the Environmental Protection Agency (EPA). A TMDL allocates pollutant loadings among pollution sources in a watershed, and is a basis for taking the actions needed to restore a waterbody.

The Draft TMDL Program Implementation Strategy explains EPA's vision, priorities and the steps the Agency will take to help States meet TMDL program requirements. The Strategy identifies issues for which EPA may develop guidance and/ or make regulatory changes. The Strategy also describes activities that are currently underway, have been recently initiated, or for which EPA will direct a greater portion of its available program resources.

EPA will use this Draft Strategy to explain the Agency's current plans to fully implement the TMDL program and to facilitate broad-based public discussion on how the TMDL program can be improved. EPA has provided the Draft Strategy as background information to the recently formed TMDL Federal Advisory Committee Act (FACA) Committee. The Committee will develop recommendations concerning needed changes to this Draft Strategy as well as all TMDL related policies, guidance regulations, and priorities.

DATES: EPA is accepting comments on the Draft TMDL Program Implementation Strategy for 90 days following the date of publication of this notice.